

LINDA BALDWIN JONES, Bar No. 178922
 KRISTINA M. ZINNEN, Bar No. 245346
 JORDAN MAZUR, Bar No. 257899
 WEINBERG, ROGER & ROSENFELD
 A Professional Corporation
 1001 Marina Village Parkway, Suite 200
 Alameda, California 94501-1091
 Telephone 510.337.1001
 Fax 510.337.1023

Attorneys for Plaintiffs

KENNETH R. BALLARD, Bar No. 079743
 JOHN B. GOLPER, Bar No. 065963
 KATHERINE A. HREN, Bar No. 210110
 Ballard, Rosenberg, Golper & Savitt, LLP
 500 North Brand Boulevard, Twentieth Floor
 Glendale, CA 91203-9964
 Telephone 818.506.3700
 Fax 818.506.4827

Attorneys for Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

MIKE FURSMAN; STEVE SACKS, in their capacities as Trustees of the NORTHERN CALIFORNIA UFCW WHOLESALE HEALTH & WELFARE FUND,) No. 09-CV-04616-SI
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)
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Plaintiffs,) STIPULATION AND [PROPOSED]
) ORDER CONTINUING INITIAL
v.) CASE MANAGEMENT
) CONFERENCE AND RELATED
) DEADLINES
JOHN MORRELL & CO. doing business as MOHAWK PACKING COMPANY and/or MOHAWK MEAT COMPANY,) [L.R. 3-12(a)]
) Judge: Susan Illston
) Courtroom: 10, 19th Floor
)
Defendant.)

Plaintiffs Mike Fursman, Steve Sacks, in their capacities as Trustees of the Northern California UFCW Wholesale Health & Welfare Fund (“Plaintiffs”), and Defendant John Morrell & Co., doing business as Mohawk Packing Company and/or Mohawk Meat Company (“Defendant”), through their respective counsel, hereby stipulate to and request that the Court order that the Initial Case Management Conference and related deadlines be continued for a period of 120 days.

1 1. Pursuant to the Court's Order Setting Initial Case Management Conference and
 2 ADR Deadlines, the Initial Case Management Conference in this action is set for January 15, 2010
 3 at 2:30 p.m. Other case management deadlines, including the filing of the ADR Certification,
 4 completion of initial disclosures, and filing of the Case Management Statement, precede and are set
 5 in relation to the Case Management Conference.

6 2. On November 5, 2009, the parties met to discuss the outstanding issues and agreed
 7 to a process to explore a possible resolution of this action without the necessity of further litigation,
 8 time and expense. This case involves two payroll compliance testing audits. To that end, the
 9 parties intend to exchange information and need additional time to gather information as well as
 10 review said information. This case involves two payroll compliance audits covering several years.
 11 The parties currently anticipate that a short extension of case management deadlines will enable
 12 them to focus their efforts on resolving this matter.

13 3. There have been no previous time modifications related to the Initial Case
 14 Management Conference or related case management activities in this case.

15 4. The parties expect that the requested extension of the date for the Initial Case
 16 Management Conference will have no adverse effect on the schedule for the case. No trial date or
 17 other deadlines have yet been set. The requested extension may facilitate the resolution of the
 18 parties' dispute, and will at a minimum enable the parties to exchange information about their
 19 respective positions that may streamline case management.

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Therefore, Plaintiffs and Defendant, through their respective counsel, stipulate and agree as follows:

1. The Initial Case Management Conference date of January 15, 2010 at 2:30 p.m. and related deadlines are vacated.

2. The Initial Case Management Conference date is extended to May 7, 2010 at 2:30 p.m.. Related deadlines for ADR and case management activities are extended accordingly, as provided in the Court's Order Setting Initial Case Management Conference and ADR Deadlines.

Dated: December 21, 2009

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ Linda Baldwin Jones
LINDA BALDWIN JONES
Attorneys for Plaintiffs

Dated: December ____, 2009

BALLARD, ROSENBERG, GOLPER & SAVITT, LLP

By: /s/ Katherine A. Hren
KATHERINE A. HREN
Attorneys for Defendant

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____



THE HONORABLE SUSAN ILLSTON

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